(General Finance)

File No 360-98-99

Pr. 34/6

85 1 — Bl.

Indexed

M.K. Jaccon

Communicated

Jaccon

Sub:- Addenda to Article 612 of the Mysore Service Regulations.

M.

(General Finance)

File No 360-98-99.

Pr 34/6

85 1 — Bl.

Indexed

M.K. Jaccon

Communicated

Jaccon

Sub:- Addenda to Article 61.2 of the Mysore Service Regulations.

Note.

GOVERNMENT OF MYSORE

Q.J. 36 of 98-99

The Deputy Commr. Shimoga dist[rict], forwarded to the Comptroller for audit, certain travelling allowance bills of the Excise Subordinate staff of his dist[rict] and the Comptroller returned them without audit, informing the Deputy Commr[s] that the orders of Government should be awaited in the matter. The Dy. Commr in his present letter sent through the Excise Commr[s] states that, under the rules at present in force, his signature on such bills seems to be sufficient and that he is not in a position to know what reasons the Comptroller had for adopting the course he took. The Excise Commr[s] states that pending the amendment of article 612, the Dy. Commr[s] ought to have sent the bills promptly for the counter-signature of the Excise Commr[s] instead of delaying them to the inconvenience of the officials concerned.

B

(of the Mysore Service Regulations)

Now the question is whether
the Dy. Commr is right in
saying that, under the rules
now in force the Dy. Commrs
signatures is sufficient. Article
(of the Imperial Service Regulations)
611, says that bills for travelling
allowances of non gazetted and
menial officers may be submitted
for audit without the counter-
signature of the
Controlling Officer. ~~From~~
~~the enquiry made in the Comp~~
~~Office~~ As an exception to the
above article it is also laid
down in article 612, that such
travelling allowances bills of
the officers serving in the Forest,
police, medical and P. W. Depart-
ment require the countersignature
of the Controlling Officers of their
respective Departments. According
to the strict letter of the rulings now in force
and also in the absence of any definite order in the matter,
the Dy. Commrs view seems
to be correct & it is also supported
by the very fact of the required
amendment being proposed
by the Imperial Commr with a

extract put up.

view to clear all misapprehension on the point.

Submitted.

KG 4/7/00.

Amendment of Art 612 by the addition of the word Excise is pending in the Jurisdiction. The reference made by the Excise Commissioner is before the Dewan has not been submitted on 15. April 1899. Now it is the point for decision.

D.C.O Tel. case see it clear 6/7/00 orders

KG 4/7/00

KG 6/7/00

The papers were submitted. 8/7/00

Submitted & Secretary KG 13/7/00

The proposed modification of Article 612 has been adopted. The Commissioner's Circular has been issued in accordance with the above decision.

KG 23/7/00

Submitted.

There is no order or reference on the subject. The Excise Commr. in his previous letter referred to in this proposed the required amendment to be made in the Mysore Service Regulations.

KJ
3/7/00.

But will the Govt to recognise the Ex. Comr's counter signature in connection with the processes in the Regns?

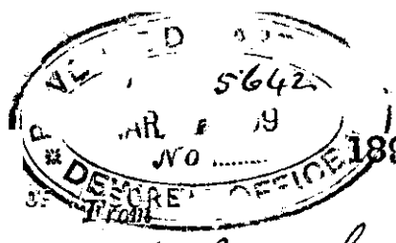
HE
3/7/00

Submitted,

It has been ascertained from the Comptroller's Office that the Comptroller has all along been recognising the Excise Commr. counter-signature and that it is only the Shimoga Deputy Comm. that has raised objection to such counter-signature while the bills of all other Districts are being sent through the Excise Comm.

KJ
4/7/00.

Put up a file
Is this by Govt
order
right in saying
from the rules
force



Ex. 264

The Excise Commissioner
in Mysore

To

The Secretary to Govt. of Mysore.
Jeneral & Revenue Dept.s.

Dated 6th March 1899
Despatched 13-3-99
Received
General No. 5760
No. 271
Enclosure No. 1 file

In reply to

SUBJECT.

Solicits that for the reasons stated herein, the word "Excise" may be ordered to be duly inserted after the word medical" in article 612 of the Mysore Service Regulations

References (to be entered only in the Dewan's Office.)

Secretary
Submitted for orders, with extracts of Sections 611 & 612 of the Mysore Regulations

16/3/99

16/3/99

Excise was not inserted in article 612 as that order

not then exist. Add an order supplying the omission

Excise 10/4/99

10/4/99

No 576 Encl file.
271

From

Excise Commissioner's office
Bangalore, dated 6th March 1899

13-3-99

The Excise Commissioner
in Mysore

To

The Secretary to the Government of Mysore
General and Revenue Department.

Sir.

In Submitting herewith copy of the marginally noted correspondence, I have the honor to State that under article 610, and in accordance with the Spirit of article 612 of the Mysore Service Regulations the Travelling allowance bills of the Gazetted officers and of the non-Gazetted and menial officials of the Excise Department are being, and have been audited by the Comptroller on the countersignature of the Excise Commissioner. but because the word "Excise" is omitted in the aforesaid article 612, the present Deputy Commissioner of the Shemoga district has, for the first time objected to the bills of the non-Gazetted Excise officials being sent to the Excise Commissioner for his countersignature.

2. As correctly pointed out by the Comptroller, the word "Excise" could not have been inserted in article 612 of the Mysore Service Regulations, as a separate

Controllin a

* 1. Docket No. 865, dated 5th October 1898 from the Deputy Commr. Shemoga district to the Comptroller.
2. Letter No. 2719/95, dated 19th Octr. 1898 from the Comptroller to the Excise Commissioner.
3. Excise Commissioner's letter No. 3907, dated 9th Novr. 1898 to the Comptr.
4. Docket No. 1310/117, dated 12th Decr. 1898, from the Dy. Commr. Shemoga Dist. to the Comptroller.
5. Docket No. 1735/147 dated 16th Feb. 1899 from — do — to — Comptr.
6. Letter No. 5307/76 dated 25-2/3-3 1899 from the Comptroller to the Excise Commr.
7. Docket No. dated 6th March 1899 from the Excise Commr. to the Comptroller.

Controlling officer for the Excise department, as in the
use of Forest Police medical and Public Works
departments did not exist when the said Regulations
were framed

3 I concur in the Comptroller's opinion that, as
the travelling allowances are special charges —
not those periodically recurring according
to any sanctioned fixed scales and are debitable
to the Budget of the Excise Department of which
the Excise Commissioner is the responsible head
it is indispensably necessary that all travelling
allowance bills should be carefully scrutinized
in the Excise Commissioners office and counter-
signed by the Excise Commissioner before audit
as heretofore, as similar bills are likewise
scrutinized and countersigned by the respective
controlling officers of the Forest Police Medical
and Public Works Departments. Accordingly
and with a view to legalize the existing practice
I beg to solicit that the word "Excise" may be
ordered to be duly inserted, after the word
medical in article 612 of the Mysore

Service

Service Regulations.

I have the honor to be,

Sir,

Your most obedient Servant

[signature]

Excise Commissioner

[illegible] Tyrone

Previous Reference.	Later Reference.

G. F. File No. 3.6.798-99.

File Headings – Addenda to Article 612 of the Mysore Service Rg

From — The Examr Coorg in Mysore
Dy No 5642 / Ex 2664
No 5760/271 dt. 6/13. 3. 99

Solicits that for reasons stated therein the word "Exam. may be ordered to be duly inserted after the word "medical" in Article 612 of the Mysore Service Regulations

2. From — The Exam Coorg in Mysore
Dy No 8626 / Ex 503.
No 6924/475 dt. 26/27. 6. 1900
11932 / P+A 1733.

Forwards communication from the Dy Commr, Shimoga and states that the travelling allowance Bills therein received will be checked countersigned and forwarded to the Comptroller for audit.

3. To — The Exam Coorg in Mysore
The Comptroller. M. G
No 755-6/Ex 40 26.7.1900.

Directs that the word Examr be inserted after the word medical in Art: 612 of the Mysore Service Regulations.

Previous Reference.

Later Reference.

File No.....

File Headings—

From The Deputy Commissioner
Shimoga District.

To The Comptroller to the
Government of Mysore.

Dated 5th October 1898.

No. 865/88

With reference to his memo No. 647 T.A.103 dated 29th ultimo returning the four travelling allowance bills of the Excise Supervisors & Inspectors for July and August 1898, for countersignature of the Excise Commissioner has the honor to retransmit herewith the bills and to state that under Articles 611 and 612 of the Mysore Service Regulations, the bills do not require the countersignature of the Excise Commissioner, as these are non gazetted Officers and as Excise Department is not mentioned in Article 612.

2. The travelling allowance claimed by Sub-Inspector Venkat Rao has been struck off in the bill

(Sd) A. V. Nanjundaja
Deputy Commissioner

Copy
(Sd) Ay Eagles
for Comptroller

Special Audit Department
Office of the Comptroller of Mysore
Bangalore 19th October 1898

No. 2717
-95-

From
E. R. Subrayen Esqr
Comptroller of Mysore

To
The Excise Commissioner in Mysore.

Sir

In forwarding a copy of docket No. 865/88 dated 3rd instant from the Deputy Commissioner, Shimoga District, and the marginally noted Travelling Allowance bills for reference and retransmission with your countersignature

I

1/ A bill for Rs 15/- of G. P. Ramanenkar Ex. Supty Shikarpur for July 1898
1/ do — 58 of G. Bhatkar Ling — do — do — (1) do —
1/— do — 12/9 of Aiman — do — Kallambelle — do — Shimoga 8th
1/— do — 15/3/4 of D. Felix Ex. Inspector Sorab — August 1898
1/— do — 9/9/9 of Ex. P. Narasimha Iyengar, Ex. Inspector Honnali — received with docket of the Dy. Comm. Shimoga 8th
— received with docket No. 765/82 of 28th ultimo from the Dy. Comm. Shimoga.

I have the honor to observe that the Travelling Allowance bills of the Excise Executive Staff of all the other Districts as well as those of Shimoga are being countersigned by you, and I do not see how any exception can be made in this case. The Excise Department could not certainly have been mentioned in Article 612 of the Mysore Service Regulations as there was no such Department when the Regulations were framed. The appointments transfers &c of these Superintendents are made by you and not by the Deputy Commissioners I believe. I request therefore that you will be good enough to favor me with your opinion on the subject and oblige.

I have etc

(Sd) Hy Eagles
For Comptroller

Excise Commissioner's Office
Bangalore 9/10 th November 1898

No. 3307

From The Excise Commissioner
in Mysore

To The Comptroller of Mysore

Sir,

In reply to your letter No. 2719/95 dated 19th October 1897 + 7th November 1898, I have the honor to state that the Excise Commissioner as per Government Notification No. 32, dated 9th May 1889, is the Controlling Officer of the Excise Department just as the Conservator of Forests Inspector General of Police Senior Surgeon and Chief Engineer are the Controlling Officers of their respective Departments and accordingly he has to countersign and has been so countersigning the travelling allowance bills

of

of non-gazetted & menial Officers serving in the Excise Department, in accordance with Article 612 of the Mysore Service Regulations I concur with you in the opinion that as a separate Controlling Officer did not exist when the said Regulations were framed the Excise Department cond. have been inserted in Article 612 ibid. of I beg to request that you will be so good as to cause the omission to be now supplied

2 The travelling allowance bills in question will be checked and sent on duly countersigned by me

I have etc.

(Sd) P. Venkatarangiengar

For Excise Commissioner

From

From The Deputy Commissioner
Shimoga

To The Comptroller to the
Government of Mysore

Dated 12th December 1898

No. 1310
117

In reply to his Docket No. 3374
F.A 5-7
of 9th December 1898 has the honor
to state that the difficulty could
easily be solved by the Amendment
of the Article in question by the
addition of the word Excise
Commissioner therein. It was
never meant to question the
status of the Excise Commissioner
as the Controlling officer of the
Excise Department. But a positive
rule such as that laid down
in section 612 cannot be extensively
interpreted either by analogy or
with a reference to the intention

of

From

The Deputy Commissioner

Dharwar

To The Comptroller to the

Government of Mysore

Dated 12th December 1898

No 1310/117

In reply to his docket No 3371/J.A 5-7

of 9th December 1898 has the honor

to state that the difficulty could

easily be solved by the amendment

of the Article in question by the

addition of the word excise

Commissioner therein. It was

never meant to question the

status of the Excise Commissioner

as the Controlling Officer of the

Excise Department But a positive

rule such as that laid down

in section 612 cannot be extensively

interpreted either by analogy or

with a reference to the intention

of

of the rule by a subordinate authority like the Deputy Commissioner It is apparent from the copy of the letter No. 3307/675, dated 9th November 1898 from the Excise Commissioner to the Comptroller that the matter has been referred to Government and it is difficult to see how the matter can be otherwise finally disposed of If the opinion of the undersigned is of any relevancy, he also agrees that a separate controlling officers did not exist when the regulations were framed and that therefore the Excise Department could not have been inserted in Article 612 Only the undersigned does not see how he is competent of his own authority to supply the omission, and does not claim any exceptional treatment for his District as indeed

he has no particular object
to gain by so doing.

(Sd) H. V. Nanjundiah
Deputy Commissioner

Copy

(Sd) H. Hy Eagles
Asst Comptroller

From The Deputy Commissioner
Shimoga District

To The Comptroller to the
Government of Mysore

Dated 14th February 1899.

No. 735
147

His memo No 29 of the 24th January
1899, returning the Travelling
allowance bill of Excise Inspector
of Dodagatta for August 1898

I have the honor to return the
bill and to state that as the

question

question raised in this office docket
No 865/88 and 1310/117 dated 5th
October and 12th December 1898,
respectively has not been settled
by Government the bills need
not, according to the rules in force
at present be transmitted to
the Excise Commissioner from
this office If the Comptroller
considers that the bills cannot
be passed without the Excise
Commissioners countersignature,
the undersigned would feel obliged
if the matter is referred for the
orders of the Government

(Sd) A. V. Nanjundia
Deputy Commissioner

Copy

(Sd) E. R. Subrayer
Comptroller

Special

Special Audit Department

From

The Comptroller

Government of Mysore

To

The Excise Commissioner

in Mysore

Dated 25/27 February 1899.

Despatched 3rd March 1899

No. 6307/16 Enc. No. 2

Sir

In continuation of this office letter No. 2719/7/6 45 of 7th November 1898 I have the honor to forward herewith copies of docket nos 1735/147 and 1310/117 dated 14th February 1899 and 12th December 1898 respectively, and to state that it is for the Excise Commissioner to insist or not by means of an executive order upon all the Travelling allowance bills of

his

his Departmental executive — non-Gazetted Staff being sent for audit through his office

2. As a general rule Article 611 permits the Travelling allowance of non Gazetted officers being audited for payment without the countersignature of the Controlling officer and one of the District Excise officers insists upon this permission being availed of by him till the Excise Department also is formally brought by a Government order under the exceptions laid down in Article 612 of the Mysore Service Regulations. This office cannot therefore technically object to audit the Travelling allowance bills received direct without the countersignature of the Controlling officer

3. As these allowances are special charges not those periodically

periodically recurring according to any sanctioned fixed scale - and are debitable to the Budget of the Excise Department of which the Excise Commissioner is the responsible head, and as these allowances of the Excise Staff of all the other Districts and of this District also till very recently, are being and have been audited on your countersignature I consider it the duty of this office to enquire of and ascertain from you whether such charges on account of travelling allowances of the Excise Department in this particular District will be accepted by you if audited and allowed by this office without your countersignature, or whether you desire me to postpone the audit till you arrange to have these

these charges brought under your scrutiny either by means of a Government order or by your own Departmental orders

An early reply is solicited

I have etc

(Sd) E. R. Subrayer

Comptroller.

From

The Excise Commissioner

in Mysore

To

The Comptroller of Mysore.

Dated 6th March 1899.

No.

The Comptroller's letter No 5307/16

dated 25th February 1899

3rd March 1899

In reply has the honor to state that the audit of the Travelling Allowance bills referred to by the Deputy Commissioner

Commissioner Shimoga District may be postponed till article 612 of the Mysore Service Regulations as amended by Government by inserting therein the word "Excise"

(Sd) P. N. Purnaiya

Excise Commissioner
in Mysore.

Copy

N Purnaiya

Excise Commissioner
in Mysore.

Extract from the Mysore Service Regulations

610. A bill for travelling allowance (other than the fixed allowance) of officer should be countersigned by the Head of the Department or Controlling officer appointed by the Government.

611. Bills for travelling allowances of non-gazetted and menial officers may be submitted for audit without the countersignature of the Controlling officer.

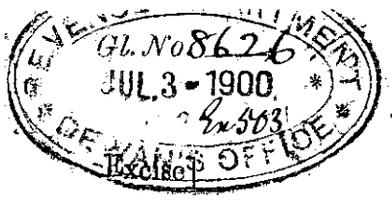
612. As an exception to the preceding article, the bills for travelling allowances of non-gazetted and menial officers serving in the Forest Police Medical and Public Works Department require the countersignature of the Controlling officers of their respective Departments

Extract from the Imperial Service Regulations

611. Bills for travelling allowances of non-gazetted and menial officers may be submitted for audit without the countersignature of the Controlling Officer

612. As an exception to the preceding article the bills for travelling allowances of non-gazetted and menial officers serving the Forest, Police, Medical and Public Works Department require the countersignature of the Controlling officers of their respective Departments

P.A. 1733



11932
28-6-00

1899-1900

Transfd to the Rev: Branch as the reference quoted within is pending disposal in the Excise Dept

MK
2/7
kg
3/7/00.

Submitted

The Excise Commrs proceedings reference is pending before the Dewan having been submitted to him on 15th Apr 99.

kg
3/7/00.

Can the Excise Com Commissioner the bills per stg. Tm amount Put up I've moved Mr Ref Order
M 3/7/00

From The Excise Commissioner in Mysore

To

THE SECRETARY TO GOVT. OF MYSORE,
General & Revenue Dept.s

Dated 26th June 1900

Despatched 27 — do

Received

General No. 6924

No. 475

Enclosure No. 1

In reply to

SUBJECT.

Forwards Communication from Deputy Commissioner, Shimoga, and states that the Travelling allowance bills therewith received will be checked Countersigned and forwarded to the Comptroller for audit

References
(to be entered only in the Dewan's Office.)

Excise Commissioner's Office

No. 6924/4.75 Revenue Bangalore, dated 26/27th June 1900

From

The Excise Commissioner
in Mysore

To

The Secretary to Government of Mysore
General and Revenue Departments.

Sir,

In forwarding the accompanying letter No. 990 dated 18th May 1900, from the Deputy Commissioner, Shimoga with reference I have the honor to state that the Travelling allowance bills therewith received will be duly checked, Countersigned and forwarded to the Comptroller for Audit.

2. Pending the amendment of article 612 of the Mysore Service Regulations as recommended in my letter No. 5760/271 dated 6th March 1899, to Government the Deputy Commissioner ought to have promptly sent the bills to this office for check and Countersignature, instead of delaying them and thereby putting the officials to inconvenience.

I have the honor to be
Sir
your most obedient servant
[illegible]
for Excise Commissioner

H.No. 6595
113

1899 1900

FROM The Deputy Commissioner
Chanda

To The Secretary to H.E.
Govr of Bombay
Genl and Rev. Depts

Dated 14th Thro' the Resident Cdn

Despatched 18 } May 1900

Received 20 }

General No. 9 90
No. 9 71

Enclosure No. 1

Submits bills for
allowances due to the
Subordinate
Staff for such orders
the Govt may be
pleased to pass thereon

No 990/1

Fin: No 11

Deputy Commr Off
Shimoga-27
18th May 1900

To
The Secretary to the Govt of Mysore
General and Rev. Depts
(Through the Mysore Commissioner)

Sir
I have the honour to submit herewith 11 bills for allowances due to the Mysore Subordinate Staff of this district for such orders as the Government may be pleased to issue.
Thereon I beleive the Mysore Commissioner has written to Government concerning the amendment of Sections 611 and 612 of the

the Civil Service Regulations,
so as to prescribe that such
bills should bear the counter-
signature of the Revenue
Commissioner; and that the
matter is pending orders
In the meanwhile the
Comptroller has returned
all these bills without audit,
informing me that the orders
of Government should be
invited.

2. Notwithstanding the terms
of the reference to Government,
I am authorised to propose
to Government that pensions
recommended in adopting
this course be fair and
consistent this seems to be

erroneous, as under the
Rules at present in force,
the Deputy Commissioners
Signature on those bills
seems to be sufficient. In
town there is a considerable
hardship to officials of small
pay especially at present
to be kept out of the sums
properly due to them, and they
are complaining of the delay.
I crave the liberty
therefore of requesting
that the matter may be
disposed of early so that
these bills may be directed
to be audited without.
Further delay as may

undersigned that every reasonable

I have the honour to

be

Your Most Obedient Servant

H Macnamara

Deputy Commissioner

Lucknow 21

Esqr

Proceedings of the Govt of Mysore

Read:

Letter No 5760/271 dated 6th March 1899 from the Excise Comr in Mysore, requesting that in article 612 of the Mysore Service Regulations, the word Excise may be inserted after the word Medical with a view to make it obligatory that the Travelling allowance bills of the Excise Department should be counter signed by the Excise Comr as the controlling officer of that Department, on the ground that such practice is in vogue in the similarly organised Departments of Forest Police Medicine and Public Works and that the word Excise was not inserted in the article as that Department did not exist when the Service Regulations

Issued 2 Demands
15-4-99

Submd by Secretary
Excise Branch
23/7/00
Excise
23/7/00

were framed.

Order thereon Rs.

Govt directed that the word Excise be inserted after the word medical in article 612 of the Mysore Service Regulations as recommended by the Excise Comr.

15/4/99
Secretary

13/4/99

To.
13/4/99

The Excise Commissioner in Mysore

Comptroller, Mysore

Govt with a request that he will give due publicity to the insertion

755-6
Exc 40
dt 26/7/00